

**THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:)	CHAPTER 13
)	CASE NO: 19-50025
WILLIAM J. HUET and LISA J. HUET,)	
)	ALAN M. KOSCHIK
DEBTOR(S))	BANKRUPTCY JUDGE
)	
)	<u>MOTION TO INCUR DEBT TO</u>
)	<u>PURCHASE A VEHICLE</u>

.....

Now comes the Debtor(s), by and through undersigned counsel, and hereby moves this Court for approval to purchase a vehicle.

1. Terms of the purchase (type of vehicle, total purchase cost, length of loan, interest rate, monthly payment and from whom the Debtor(s) is buying the vehicle).

Debtor 2 is purchasing a 2014 Chrysler Town & Country with a purchase price of \$9,899; with tax, title, registration, and service contract, \$11,937.29. Monthly payments of \$276.46 for 60 months with an interest rate of 19.99%. Debtor 2 is trading in their 2009 GMC Acadia which had a payment of \$281.00/mo.

____ Lease a vehicle.

2. X Amended Schedule I and Schedule J been filed to support car purchase.
3. X The Debtor(s) has supplied the Trustee current pay remittances and most recent tax returns to support Debtor(s) request for a car purchase or lease. Note: These items are necessary even if Debtor(s) is replacing an existing car for the same monthly payment on Schedule J.
4. X The Debtor(s) is current in monthly Chapter 13 plan payments in the amount of \$896.00.
5. X The unsecured dividend will not be affected by the Debtor(s) request to purchase or lease a vehicle.
6. X The Debtor(s) needs a vehicle because:

Debtor 2's 2009 GMC Acadia, her primary means of transportation, is getting old and prohibitively expensive, maintenance-wise. This vehicle would replace the Acadia as her primary transportation.

7. ____ The Debtor(s) is replacing a current lease.
8. X If Debtor(s) contends existing car is too costly to repair, explain what steps Debtor(s) has

taken to keep current car operational. (What is the mileage on the existing car).

They have performed all routine maintenance (fluids, oil, etc.) and have completed repairs as they arise. The mileage of the current vehicle is 170,200.

9. X What is make and model of existing car.

2009 GMC Acadia

10. ____ The Debtor(s) current car is being paid through the Chapter 13 plan.

11. ____ If current car is being paid through the plan, please explain how the current car lender will be paid if Debtor(s) is proposing to trade in current car for a new car.

N/A

12. ____ If Debtor(s) is seeking to purchase or lease an additional car explain why the Debtor(s) needs an additional car.

Not applicable.

13. X Explain what efforts the Debtor(s) has made to obtain the best deal at the lowest interest rate possible.

The Debtors have inquired with multiple sellers. They aggressively negotiated the present deal (the dealership initially proposed a higher interest rate).

NOTE: All applicable items stated above must be included in the order, not simply reference the motion.

Respectfully submitted,

/s/ Rebecca J. Sremack
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CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2021, a copy of the foregoing *Motion to Incur Debt to Purchase Motor Vehicle* was sent via Regular Mail to:

William & Lisa Huet
1609 Moreview Dr.
Copley OH 44321

and

All creditors listed on the mailing matrix, which follows on the next page.

And via ECF to:

United States Trustee

and

Keith L. Rucinski, Chapter 13 Trustee

/s/ Rebecca J. Sremack
Rebecca J. Sremack #0092313
Attorney for Debtors

Label Matrix for local noticing
0647-5
Case 19-50025-amk
Northern District of Ohio
Akron
Tue Jan 26 17:15:24 EST 2021

Ally Financial
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Minneapolis, MN 55438-0901

Barclays Bank Delaware
PO Box 8803
Wilmington, DE 19899-8803

Capital One Bank
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Carol Stream, IL 60197-6492

Capital One Retail Services
PO Box 7680
Carol Stream, IL 60116-7680

Fifth Third Bank
PO Box 9013
Addison, Texas 75001-9013

Lowes/Synchrony Bank
PO Box 530914
Atlanta, GA 30353-0914

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c/o PRA Receivables Management, LLC
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Norfolk VA 23541-1021

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Norfolk, VA 23541-1021

Atlantic Credit & Finance Inc
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The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)FIFTH THIRD BANK	(u)Nationstar Mortgage LLC d/b/a Mr. Cooper	(d)PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541-1021
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End of Label Matrix	
Mailable recipients	36
Bypassed recipients	3
Total	39